

REMARKS

Initially, Applicants would like to express appreciation for the detailed Official Action.

Claims 1-3, 5-12, and 17-26 are currently pending. Applicants respectfully request reconsideration of the outstanding rejections and allowance of claims 1-3, 5-12, and 17-26 in the present application. Such action is respectfully requested and is now believed to be appropriate and proper.

Claims 1-3, 5, 10-12, 17-20, 25, and 26 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Japanese Patent Publication No. 7-185142 to KAUER et al. in view of MICINILIO (U.S. Design Patent No. 441,912).

However, Applicants note that KAUER et al. and MICINILIO fail to teach or suggest the subject matter claimed in independent claims I and 17. In particular, independent claim I sets forth a shaver including, inter alia, a head portion and a main body, wherein “a front cross section of the shaver in its entirety has a torso shape having a neck portion narrowed in width at a substantially center portion in an up and down direction of the shaver, and a side cross section of the shaver in its entirety has a substantially S-shape defined by an upper back convex curved portion and an upper front concave curved portion located above the neck portion, and a lower back concave curved portion and a lower front convex curved portion located below the neck portion”. Independent claim 17 sets forth a shaver including, inter alia, a head portion and a main body, wherein “a front cross section of the shaver in its entirety has a torso shape having a neck portion narrowed in width at a substantially center portion in an up and down direction of the shaver, and a side cross section of the shaver in its entirety has a substantially S-shape”; and “wherein a front cross section of the part of the main body functioning as the grip portion has a substantially ovoid shape having a larger curvature on the back side thereof than the curvature on the front side thereof”.

Applicants' claimed invention includes a shaver having certain features and advantages. In this regard, the claimed shaver includes a head portion including a razor having an outer blade and an inner blade on the upper end portion of the main body, and the front cross section of the shaver in its entirety has a torso shape with a neck portion narrowed in width in the center in the vertical direction of the shaver, and the side cross section of the shaver in its entirety has an S-shape. This shape of the shaver provides improvements and advantages. For example, the shape of the claimed shaver increases the contact area of the main body of the shaver with the portion of the operator's hand between the index finger and the thumb, when the shaver is held by the thumb and the index finger. Additionally, the rear concave curved portion on the lower rear portion of the S-shape provides a secure contact area with the palm of the hand, particularly the hypothenar portion, regardless of the size of the hand. The secure contact area of the body of the claimed shaver with the hypothenar and the portion between the index finger and the thumb is important to stably hold the shaver. In this way, the contact area of the body of the shaver with the hypothenar and the portion between the index finger and the thumb is secure, so that the convex curve of the thenar fits the torso-shaped neck portion when gripping and holding the shaver. Therefore, it is possible for the operator of the shaver to grip and hold the shaver without unreasonable effort.

However, the KAUER et al. publication discloses a shaver as shown in the figures. As recognized by the Examiner, the KAUER et al. device does not include a neck portion narrowed in width at a center portion of the shaver in the vertical direction. Further, the KAUER et al. device does not include a side cross section of the shaver having a substantially S-shape defined by "an upper back convex curved portion and an upper front concave curved portion located above the neck portion, and a lower back concave curved portion and a lower front convex curved portion located below the neck portion". In particular, the KAUER et al. device does not include "a lower back

concave curved portion and a lower front convex curved portion”, as set forth in claim 1. In this regard, as clearly shown in figure 1, the lower back portion of the main body of the shaver is *convex*.

In the KAUER et al. device, the lower back portion of the main body of the shave is not concave, as claimed. Additionally, the KAUER et al. device does not include a main body “wherein a front cross section of the part of the main body functioning as the grip portion has a substantially ovoid shape having a larger curvature on the back side thereof than the curvature on the front side thereof”, as set forth in claim 17. In this regard, as shown in the figures, particularly figures 1, 2, 6, and 8, the KAUER et al. device clearly does not show a grip portion having a substantially ovoid shape, as claimed.

The MICINILIO design patent is directed to a shaver. As can be seen in figure 1, the lower back portion of the main body of the shaver is *convex*. The lower pack portion of the shaver is not concave, as set forth in claim 1. Accordingly, the MICINILIO design patent fails to teach or suggest a shaver having a side cross section with a substantially S-shape defined by “a lower back concave curved portion and a lower front convex curved portion located below the neck portion”. Additionally, as shown in the figures, particularly figures 1 and 4, the MICINILIO shaver does not include a main body having a grip portion with a substantially ovoid shape, as set forth in claim 17. Therefore, the MICINILIO design patent fails to cure the deficiencies of the KAUER et al. device, and even assuming, arguendo, that the teachings of KAUER et al. and MICINILIO have been properly combined, Applicants’ claimed shaver would not have resulted from the combined teachings thereof.

Further, there is nothing in the cited prior art that would lead one of ordinary skill in the art to make the modification suggested by the Examiner in the rejection of claims 1 and 17 under 35 U.S.C. § 103(a) over KAUER et al. in view of MICINILIO. Thus, the only reason to combine the

teachings of KAUER et al. and MICINILIO results from a review of Applicants' disclosure and the application of impermissible hindsight. Accordingly, the rejection of claims 1 and 17 under 35 U.S.C. § 103(a) over KAUER et al. in view of MICINILIO is improper for all the above reasons and withdrawal thereof is respectfully requested.

Applicants submit that dependent claims 2, 3, 5, 10-12, 18-20, 25, and 26, which are at least patentable due to their dependency from claims 1 and 17 for the reasons noted above, recite additional features of the invention and are also separately patentable over the prior art of record based on the additionally recited features.

Claims 6-9 and 21-24 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over KAUER et al. in view of MICINILIO, and further in view of Japanese Patent Publication No. 2002-095878 to WATANABE.

However, the WATANABE document is directed to a shaver. As clearly shown in the figures, the WATANABE document fails to teach or suggest a shaver having a side cross section with a substantially S-shape, "a lower back concave curved portion and a lower front convex curved portion located below the neck portion", as set forth in claim 1, nor a grip portion with a substantially ovoid shape, as set forth in claim 17. Therefore, the WATANABE document fails to cure the deficiencies of the KAUER et al. and MICINILIO combination, and even assuming, arguendo, that the teachings of KAUER et al., MICINILIO, and WATANABE have been properly combined, Applicants' claimed shaver would not have resulted from the combined teachings thereof.

Further, there is nothing in the cited prior art that would lead one of ordinary skill in the art to make the modification suggested by the Examiner in the rejection of claims 6-9 and 21-24 under 35 U.S.C. § 103(a) over KAUER et al. in view of MICINILIO and further in view of WATANABE. Thus, the only reason to combine the teachings of KAUER et al., MICINILIO, and WATANABE

results from a review of Applicants' disclosure and the application of impermissible hindsight. Accordingly, the rejection of claims 6-9 and 21-24 under 35 U.S.C. § 103(a) over KAUER et al. in view of MICINILIO and further in view of WATANABE is improper for all the above reasons and withdrawal thereof is respectfully requested.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejections, and an early indication of the allowance of claims 1-3, 5-12, and 17-26.

SUMMARY AND CONCLUSION

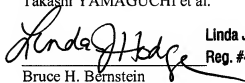
In view of the foregoing, it is submitted that the proposed amendment is proper and that none of the references of record, considered alone or in any proper combination thereof, anticipate or render obvious Applicants' invention as recited in claims 1-3, 5-12, and 17-26. The applied references of record have been discussed and distinguished, while significant claimed features of the present invention have been pointed out.

Accordingly, consideration of the present amendment, reconsideration of the outstanding Official Action, and allowance of the present amendment and all of the claims therein are respectfully requested and now believed to be appropriate.

Applicants have made a sincere effort to place the present application in condition for allowance and believe that they have now done so.

Should there be any questions, the Examiner is invited to contact the undersigned at the below listed number.

Respectfully submitted,
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